

103^D CONGRESS
2^D SESSION

S. 2511

To specifically exclude certain programs from provisions of the Electronic Funds Transfer Act.

IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, SEPTEMBER 12), 1994

Mr. LIEBERMAN introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To specifically exclude certain programs from provisions of the Electronic Funds Transfer Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELECTRONIC BENEFIT TRANSFERS.**

4 Section 904 of the Electronic Fund Transfer Act (15
5 U.S.C. 1693b) is amended—

6 (1) by inserting “(1)” after “(d)”; and

7 (2) by adding at the end the following new
8 paragraphs:

9 “(2)(A) The Board may not, under paragraph (1),
10 make the disclosures, protections, responsibilities, and

1 remedies created by this title apply to an electronic benefit
2 transfer program established under State or local law, or
3 administered by a State or local government, unless the
4 payment under such programs is made directly into a con-
5 sumer's account held by the recipient.

6 “(B) Subparagraph (A) does not apply to employ-
7 ment related payments including salaries, pension, retire-
8 ment, or unemployment benefits established by Federal,
9 State, or local governments.

10 “(C) Nothing in subparagraph (A) alters the protec-
11 tions of benefits established by Federal, State, or local
12 statute.

13 “(D) For purposes of subparagraph (A), an electronic
14 benefit transfer program is a program under which a gov-
15 ernment agency distributes needs-tested benefits by estab-
16 lishing accounts to be accessed by recipients electronically,
17 such as through automated teller machines, or point-of-
18 sale terminals. A program established for the purpose of
19 enforcing the support obligations owed by absent parents
20 to their children and the custodial parents with whom the
21 children are living is not an electronic benefit transfer
22 program.”.

